

### REMARKS

The Applicants respectfully traverse and request reconsideration. The Applicants wish to thank the Examiner for indicating that Claims 3, 6, 10, 12, 13, 15, 17 and 18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants also wish to thank the Examiner for the Examiner interview on 12/19/03 and for agreeing to consider the remarks herein.

Claims 1, 2, 4, 5, 7-9, 11, 14, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,923,365 (Tamir et al.).

#### Tamir

Tamir is directed to a sports event video manipulating system. The system is limited to the analysis of video clips captured during sporting games. The system is capable of indexing video segments, on-line graphical blending and audio dubbing, editing and storing indexed video segments, spotting key-words on the original audio channel of the video input, automatic tracking and highlighting of objects, and creation of a wide field of view background image of the playing fields. (Col. 7, Line 28 – Col. 8, Line 16). In contrast to the Applicants' claimed invention, Applicants cannot find where Tamir discloses or make obvious a method or system describing all the elements as arranged in the claims including inter alia "beginning a zoom mode; identifying a first portion of an image; displaying the first portion; detecting motion of an object within the portion of the image; selecting a second portion of the image such that the object appears at least a predetermined distance from an edge of the second portion of the image; and displaying the second portion."

It is well-established that to establish *prima facie* obviousness, all the claim limitations must be taught or suggested by the prior art. In addition, there must be some teaching, motivation or suggestion in either the prior art, or the references themselves to make the

combination asserted by the Examiner. In reviewing the Office Action, the Examiner asserts "it would have been obvious to [one] skilled in the art to modify the system of Tamir, to provide it with a zoom mode at the beginning of the process, to take account of the magnification or (zoom in and zoom out) as Tamir, et al. clearly suggests, and in order to focus on the desired portion of the image for reliable and efficient processing."

Measuring a claimed invention against the standard established in §103 requires the oft-difficult but critical step of casting the mind back to the time of invention, to consider the thinking of one of ordinary skill in the art, guided only by the prior art references in the then-accepted wisdom in the field.<sup>1</sup> Close adherence to this methodology is especially important in the case of less technologically complex inventions, where the very ease with which the invention can be understood may prompt one "to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher."<sup>2</sup>

Case law makes it clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references.<sup>3</sup> Combining prior art references without evidence of such a suggestion, teaching or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability—the essence of hindsight.<sup>4</sup> Evidence of a suggestion, teaching or motivation to combine may flow from the

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<sup>1</sup> W.L. Gore & Assoc., Inc. v. Garlock, Inc., 721 F.2d 1540, 1553, 220 USPQ 303, 313 (Fed. Cir. 1983).

<sup>2</sup> Id.

<sup>3</sup> In re Dembiczak, 50 USPQ 2d 164, 1617 (Fed. Cir. 1999).

<sup>4</sup> Id.; See, e.g., Interconnect Planning Corp. v. File, 774 F.2d 1132, 1138, 227 USPQ 543, 547 (Fed. Cir. 1985).

prior art references themselves, the knowledge of one of ordinary skill in the art, or, in some cases, from the nature of the problem to be solved, although "the suggestion more often comes from the teachings of the pertinent references."<sup>5</sup> ("The Board must identify specifically . . . the reasons one of ordinary skill in the art would have been motivated to select the references and combine them"). The showing of such suggestion, teaching, or motivation must be clear and particular.<sup>6</sup> Broad conclusory statements regarding the teaching of multiple references, standing alone, are not "evidence."<sup>7</sup>

#### Independent Claim 1

The Office Action acknowledges that "Tamir, et al., does not specifically disclose a zoom mode." Furthermore, the Office Action states that Tamir discloses the claimed subject matter except for "the claimed method of 'beginning a zoom mode.'" The Office Action asserts that the zoom mode is well known in the art and Tamir et al., discloses, "the tracking procedure takes into account the fact that there may be a change of magnification (zoom in and zoom) and of objects' poses through the succession of frames." (Citing Column 10, lines 10 through 13.) However, this change of magnification and of objects' poses is unlike Applicants' claimed subject matter *inter alia* "beginning a zoom mode."

*the same arg. as above*

The Applicants submit that the tracking procedure taking into account magnification and of objects' poses through the succession of frames lacks the advantages present in the

<sup>5</sup> Dembiczak, 50 USPQ 2d 164, 1617 (Fed. Cir. 1999); *In re Roffet*, 149 F.3d 1350, 1359, 47 USPQ 2d 1453, 1459 (Fed. Cir. 1998).

<sup>6</sup> Dembiczak, 50 USPQ 2d 164, 1617 (Fed. Cir. 1999); See, e.g., *C.R. Bard, Inc. v. M3 Sys., Inc.*, 157 F.3d 1340, 1352, 48 USPQ 2d 1225, 1232 (Fed. Cir. 1998).

<sup>7</sup> Dembiczak, 50 USPQ 2d 164, 1617 (Fed. Cir. 1999); e.g., *Elmurry v. Arkansas, Power & Light Co.*, 995 F.2d 1576, 1578, 27 USPQ 2d 1129, 1131 (Fed. Cir. 1993); *In re Sichert*, 566 F.2d 1154, 1164, 196 USPQ 207, 217 (CCPA 1977).

Applicants' claimed subject matter. For example, the Applicants recite "beginning a zoom mode; identifying a first portion of an image; displaying the first portion; detecting motion of an object within the portion of the image; selecting a second portion of the image such that the object appears at least a predetermined distance from an edge of the second portion of the image; and displaying the second portion." The Applicants cannot find where Tamir as cited describes "beginning a zoom mode; identifying a first portion of an image; displaying the first portion; detecting motion of an object within the portion of the image; selecting a second portion of the image such that the object appears at least a predetermined distance from an edge of the second portion of the image; and displaying the second portion." The Applicants can identify no language in Tamir as cited that makes reference to, among other things, "beginning a zoom mode" as cited and arranged in the claims, and as acknowledged in the Office Action. Applicants submit that Tamir as cited does not disclose the Applicants' claimed subject matter, and further teaches a way from the Applicants' invention as discussed further below.

The Office Action asserts that Step 100 of Fig. 3A in Tamir describes "identifying a first portion of an image." However, the cited portions of Tamir do not teach the claim elements as asserted including inter alia "identifying a first portion of an image" as required by the claim. Step 100 references the process in which the video encoder 20 *grabs and digitizes the first video frame*. (Col. 8, Lines 53-55; Emphasis Added). In contrast to grabbing an entire video frame, Applicants' claimed invention is in reference to the identification of a *first portion of an image*. (Emphasis Added). For example, Tamir in Step 100 of Fig. 3A is limited to "grabbing and digitization of the first frame," as opposed to "identifying a first portion of an image." The cited portions of Tamir teach merely grabbing and digitizing the first frame and make no reference to any portion of an image, let alone identifying any portion of an image. As taught by the

Applicants' claimed invention, the identification of a first portion of an image corresponds to a zoom portion selected by the user that indicates the portion of an image/video that the user wishes to magnify. (Page 9, last three paragraphs). Tamir fails to disclose the identification of a first portion of an image in connection to a selected zoom mode. Tamir, therefore, is referring to a completely different parameter or condition than "identifying a first portion of an image" as claimed. As a result, Tamir fails to make obvious the remaining elements of Claim 1, namely the selection and display of a second portion of the image when motion is detected of an object within the first portion of the image. The Applicants respectfully submit that Claim 1 is in proper condition for allowance.

The Office Action cites Step 100 of Fig. 3A for displaying the first portion. However, the cited portion of Tamir, as previously stated above, merely recites "grabbing and digitization of the first frame" as opposed to "displaying the first portion." As a result, Tamir as cited, is limited to grabbing and digitization of the first frame rather than "displaying the first portion" as asserted in the Office Action. The cited portions of Tamir merely teach grabbing and digitization of the first frame rather than reciting anything related to displaying the first portion. The Applicants cannot find where Tamir as cited recites displaying any portion of an image and further the Applicants cannot find where Tamir as cited describes the first portion. Tamir, therefore, is referring to a completely different condition or situation than displaying the first portion.

The Office Action recites Step 110 of Fig. 38 in Tamir as teaching "detecting motion of an object within the portion of the image." However, the cited portion of Tamir does not teach the claimed elements arranged as required by the claim, namely detecting motion of an object within the portion of the image. For example, Tamir as cited makes no mention of detection.

Further, Tamir at Step 110 of Fig. 38 makes no mention of motion, let alone motion of an object, and let alone motion of an object within the portion of the image. The cited portion of Tamir is limited to the "marking of object to be highlighted" rather than "detecting motion of an object within the portion of the image." The Applicants can find no recitation where the object which states in Step 110, "marking of object to be highlighted" is in motion or for that matter where the object to be highlighted is in motion within the portion of the image. As previously stated, since Tamir as cited in Steps 100 and 110 fails to describe the first portion of an image, Tamir also fails to describe detecting motion of an object within the portion of the image. For at least these reasons, Tamir fails to describe the claimed elements as asserted in the Office Action. As a result, Tamir fails to establish a *prima facie* case of obviousness.

Tamir does not teach the claimed elements as arranged by the claims, among other things "selecting a second portion of the image such that the object appears at least a predetermined distance from an edge of the second portion of the image." For example, Tamir is limited to grabbing and digitization of frame N at Step 146, the detection of marked objects in Frame N as shown in Step 150 and the identification of fusion, splitting and occlusion situations in Step 160. Rather than "selecting a second portion of the image such that the object appears at least a predetermined distance from an edge of the second portion of the image" Tamir instead teaches grabbing and digitization of frame N, where N equals 2 in the step prior to Step 146 at Step 140. Further, Tamir at Step 150 merely teaches detection of marked objects in frame N rather than "selecting a second portion of the image such that the object appears at least a predetermined distance from an edge of the second portion of the image." As such, where the claims require that the second portion of the image is such that the object appears at least a predetermined distance from an edge, Tamir appears to make no reference to the object cited earlier in the prior

steps. For example, at Step 150 the reference to detection of marked objects in frame N is with respect to frame N where N equals 2 as clearly shown in Step 140 rather than making reference to the objects in the prior steps as asserted in the Office Action such as in Step 100 and Step 110. Rather than describing "selecting a second portion of the image such that the object appears at least a predetermined distance from an edge of the second portion of the image," the Office Action as cited at Steps 150 and 160 makes no reference to any edge of the second portion of the image but instead describes detection of marked objects in frame N and the identification of fusion, splitting and occlusion situations. As such, the cited portions of Tamir simply teach the detection of marked objects and the indication of fusion splitting and occlusion situations. As a result, Tamir, therefore, is referring to a completely different condition or situation with respect to the claimed elements as recited, namely, "selecting a second portion of the image such that the object appears at least a predetermined distance from an edge of the second portion of the image." For example, as stated previously, Tamir merely teaches the detection of marked objects in frame N, where N previously equals 2 at Step 140 and the identification of fusion, splitting and occlusions situations, rather than the selection of "a second portion of the image such that the object appears at least a predetermined distance from an edge of a second portion of the image."

As previously stated, the Examiner asserts that it would have been obvious to one "skilled in the art to modify the system of Tamir to provide it with a zoom mode at the beginning of the process to take account of the magnification or (zoom in and zoom out) as Tamir et al. clearly suggests, and in order to focus on the desired portion of the image for reliable and efficient processing." With regard to the Examiner's assertion of the motivation of one skilled in the art to modify the system of Tamir, a careful examination of Tamir as cited reveals that Tamir

rather than teaching "beginning a zoom mode; identifying the first portion of an image; displaying the first portion; detecting motion of an object within the portion of the image; selecting a second portion of an image such that the object appears at least a predetermined distance from an edge of the second portion of the image" Tamir instead teaches monitoring all objects in the scene. Tamir further requires that "when the number of objects has decreased below a given threshold it becomes reasonable to assume that the set has degenerated into an insignificant scene and the program terminates." (Tamir ¶ 10, lines 62-65) Therefore, Tamir teaches away from the zoom mode because Tamir seeks as a primary requirement to track all moving objects and if a zoom mode is enabled then there is less of a chance that all objects in the scene will be tracked. As a result, Tamir teaches away from zooming because zooming would reduce the number of objects and also since the number of objects decreases below a threshold, Tamir teaches it becomes reasonable to assume that the set had degenerated into an insignificant scene and the program terminates.

Tamir teaches "all moving objects in the scene (players, referee's and the ball) are continuously detected and tracked from frame to frame. As previously stated, Tamir is directed to a video manipulation system for viewing sports events by, for example, coaches and players to understand their own and opponents' past performance. (Tamir ¶ 1, lines 13-16.) "Sports commentators also view and show video representations of team games in the course of analyzing these games for their viewers. (Tamir ¶ 1, lines 16-18.) Rather than zooming in on a single object, as required in the claims, Tamir teaches highlighting a video representation of an object included in a sequence of video representations of an event, such as a sporting event so that Tamir teaches the avoidance of zooming. (Tamir ¶ 8, lines 50-52, also see lines 45-46, lines 5-8.)



As used in Tamir, "[T]he term "highlighting" is used herein to refer to any suitable emphasis of an individual object and in its display, or of a portion of an individual object, such as, but not limited to, its boundary, as detected as defined in step 200 or to a manipulation of the object or object portion such as color change, shadowing, blinking, or adding in emphasizing elements such as a framing element surrounding the object, an arrow continuously pointing at the object, a caption appropriate to the object which travels continuously along their width." (Tamir ¶ 11, lines 18-27.)

Tamir teaches resolving a completely different problem than the claims as described in Tamir below:

"A problem that has been encountered and identified as a possible obstacle to the edge detection task is image degradation due to motion induced blur. This may be due either to camera scanning or to object motion. (Tamir, ¶ 9, lines 21-24.) Proper measures to prevent edge and texture aliasing are taken when applying any part of these dynamic emphasizing techniques." (Tamir, ¶ 11, lines 27-29.)

Accordingly, since Tamir teaches avoiding artifacts such as motion induced blur and aliasing and since Tamir teaches the identification of an object by highlighting it, Tamir teaches away from the claims because any zooming in on an object would aggravate motion induced blur, and possibly would aggravate edge and texture aliasing when applying a zoom function to the teachings of Tamir. As such, since the previously described portions of Tamir teach away from the claims, one skilled in the art would not be motivated to modify Tamir as suggested in the Office Action to perform a zoom function as claimed.<sup>8</sup>

*put is your opinion*

<sup>8</sup> A prior art reference must be considered in its entirety, i.e. as a whole including portions that would lead away from the claimed invention. (*W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984) MPEP 2141.02.)

The only reference in Tamir as cited related to a zoom function stating "the tracking procedure takes into account the fact that there may be a change of magnification (zoom in and zoom out) and of objects' poses throughout the succession of frames." (Tamir ¶ 10, lines 10-13.) However, the zoom function described is discussed in context with the problems encountered and identified as possible obstacles to the tracking procedure. (Tamir ¶ 9, lines 20-27.) Additionally, immediately after introducing the concept of zoom, Tamir discusses problems and obstacles associated with the tracking procedure including "fusion," "slitting," and "occlusion." (Tamir ¶ 10, lines 15-19.)

Accordingly, taken into proper context, Tamir teaches the avoidance of zooming because zooming and attempting to track all moving objects in the scene (Tamir ¶ 10, lines 28-30) would exasperate the problems and obstacles sought precisely to avoid. Therefore, taking the teachings of Tamir into proper context shows that Tamir teaches a method and apparatus for tracking all moving objects in the scene (players, referees and the ball) by highlighting the objects of interest while avoiding the problems associated with such an endeavor by attempting to mitigate motion induced blur, antialiasing, and to accommodate other phenomena such as fusion, slitting, and occlusion. Accordingly, not only does Tamir teach away from the zoom mode as required in the claims as filed, such a modification as asserted in the Office Action would indeed change the principle of operation of Tamir because modifying Tamir to zoom while tracking all moving objects would greatly increase problems associated with the tracking method of Tamir specifically sought to avoid.<sup>9</sup>

<sup>9</sup> If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). See MPEP 2143.01.

According to the Office Action on page 11, "the system of Tamir must employ a zoom mode." However, in the previously cited portion of Tamir the language of Tamir merely states the tracking procedure takes into account the fact that there may be a change of magnification. The Office Action fails to show how Tamir "must" employ a zoom mode. As a result, the assertion in the office action contradicts the explicit language of the Tamir which states that there may be a change of magnification. However, taken into proper context Tamir does state the only conditions under when a zoom mode would be appropriate. For example, Tamir repeatedly states that the purpose of Tamir is to track via highlighting the objects and player in a sports setting and therefore Tamir requires that the program terminates if the number of objects decreases below a certain threshold. Tamir also teaches the problems associated with tracking images that would cause more difficulty in tracking the objects and players pursuant to the objectives of Tamir. For example, in contrast to Tamir's principles of operations of tracking an object and the players of a playing field, the avoidance of artifacts that would interfere with tracking, such as motion-induced blur, would be caused by the modification of Tamir to include a zoom mode as asserted by the Office Action. Further, Tamir fails to describe how the aggravation of zoom-induced blur and the aggravation of the reduction of a number of objects and players on a playing field through the use of a zoom may be overcome. Furthermore, the Office Action fails to explain how Tamir shows that Tamir takes into account these problems of achieving the objective of Tamir, namely the tracking of all objects on a field and the use of well-defined edges such that blurring is reduced, not increased.

Furthermore, the Office Action states "[n]owhere does Tamir disclose or suggest that zooming onto an object would increase problems of tracking all the objects." This is the Applicants' own interpretation, not Tamir's teaching. However, this assertion that Tamir does

not disclose or suggest that zooming onto an object would increase problems of tracking of the object contradicts the assertion in the Office Action. The language cited immediately prior to and the language immediately after describing the problems of tracking describes objects typically characterized by bounding a rectangle larger than 10 x 10 pixels. According to the Office Action, this discussion of bounding a rectangle in the same paragraph of the discussion of the zoom mode is not considered. The acknowledgement in the Office Action that Tamir "does not disclose or suggest that zooming onto an object would increase tracking of the objects" shows that Tamir does not suggest the use of zooming with tracking all the objects. The assertion in the Office Action that Tamir does not disclose or suggest that zooming onto an object would increase problems of tracking all the objects tends to show that Tamir never contemplated the use of zooming with its tracking functions, since doing so would require addressing specifically the problems associated with zooming. For example, if the zoom mode is contemplated by Tamir then how are the effects of motion-induced blur compensated for? What happens to edge detection as a result of zoom mode? What happens when the number of objects decrease below a given threshold in a scene as a result of zoom mode? If Tamir fails to suggest any problems associated with zooming while tracking, it is because Tamir never contemplates the use of a zoom mode while tracking. Therefore, Tamir completely fails to describe or contemplate "beginning a zoom mode; identifying the first portion of an image; displaying the first portion; detecting motion of an object within the portion of the image; selecting a second portion of an image such that the object appears at least a predetermined distance from an edge of the second portion of the image".

Further, if one were to modify Tamir to provide the zooming mode function as claimed, rather than highlighting the tracked object, such a modification to Tamir would render Tamir

unsatisfactory for its intended purpose because again rather than zooming in on an object, Tamir teaches tracking all moving objects in a scene for the purpose of analyzing a sporting event as discussed above.<sup>10</sup> For example, Tamir seeks to solve the problem of analyzing a "whole field of view of a sporting event," and therefore, zooming in on an object would render such an analysis of the whole field of view impossible such that a modification as suggested in the Office Action would reduce the field of view to less than the whole field of view of a sporting event and make the analysis sought to be performed in Tamir greatly hindered, if not impossible.

For example, rather than beginning a zoom mode Tamir states, "A problem usually encountered in the analysis of team games is the difficulty in conceptualizing a **whole wide field** of view of an offensive or defensive tactic out of the succession of partially overlapping video frames that were captured by at least one T.V. camera using relatively narrow fields of view centering around the instantaneous location of the ball and active players." (§ 11, lines 37-44.) Accordingly, the modification proposed in the Office Action would render Tamir as modified unsatisfactory for its intended purpose because zooming could reduce rather than facilitate a "whole wide field."

One would not have any reasonable expectation of successfully reproducing the claimed invention, if so, modified as asserted in the Office Action. The Applicants respectfully submit that the Examiner has misinterpreted Tamir and merely attempted to reconstruct the subject matter in Claim 1, rather than pointing to specific information in Tamir that suggests the combination as claimed. As stated above, Tamir describes solving the problem usually encountered in the analysis of team games where the difficulty is in conceptualizing a whole

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<sup>10</sup> If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 200, 221 USPQ 1125 (Fed. Cir. 1984), MPEP 2143.02.

wide field of view of an offensive or defensive tactic out of the succession of partially overlapping video frames that were captured by at least one television camera using relatively narrow field of view for entering around the location of the ball and active players. (Tamir ¶ 11, lines 38-44.) As described above, not only is there no motivation to combine or to modify Tamir to perform the zoom mode as claimed as previously stated, Tamir actually teaches away from a zoom mode.

Further, the proposed modification to Tamir would result in impermissibly changing the principle of operation of Tamir, and further yet would render Tamir unsatisfactory for its intended purpose. The Applicants respectfully submit that the Examiners obviousness analysis is limited to a discussion of the way Tamir can be modified to read on the claim. Because Tamir is directed at a system that teaches away from allowing a user to zoom in upon a portion of an image, Applicants respectfully request a showing as to a reference that would make obvious each element as arranged in the claims. However, at least for the reasons stated above, the alleged reference-by-reference and limitation-by-limitation analysis fails to demonstrate how Tamir teaches or suggests the combination to yield the claimed invention. As a result, the Applicants submit that the Office Action fails to establish a *prima facie* case of obviousness for all the claims.

#### **Dependent Claim 2**

With regard to Claim 2, the Applicants respectfully repeat the relevant remarks made with respect to Claim 1. Specifically, the Applicants note that as cited Tamir fails to make obvious, among other things, any use of a zoom mode and the detection of an edge or the identification of a first or second portion of an image. Therefore, Tamir also fails to teach any subsequent limitation upon Claim 2. Specifically, Tamir does not anticipate the step of

terminating the zoom mode when at least one edge of the second portion of the image extends beyond the image.

Claim 2 requires "When at least one edge of the second portion of the image extends beyond the image, the zoom mode is terminated." The Examiner's citation to step 170 of Fig. 3B does not teach this limitation. Figs. 3A and 3B show a flowchart for the process of highlighting an object in a sequence of a video representation of an event. Step 170 pertains to the detection of objects that have entered or exited the camera's field of view. The system executes a disappearance analysis to monitor objects that have left the field of view and a reentry analysis to identify objects that have reentered the scene/camera field of view. (Col. 10, Lines 35-45.) For example, a player in a sporting event may move outside of the camera's field of view. When this event occurs, a disappearance analysis is executed to monitor this change. Step 170 does not teach the limitation in which a *zoom mode is canceled* when an edge of the second portion of the image extends beyond the image. (Emphasis Added). Tamir does not distinguish between the at least one edge of the portion of the image and the entire image whereby the portion of the image represents a magnified portion of the image as defined by a user's zoom parameters. Moreover, the Applicants' claimed invention does not relate to the technique of highlighting as taught by Tamir. The Applicants respectfully believe Claim 2 is in proper condition for allowance.

#### **Independent Claims 5 and 14**

Claim 5 corresponds to the television system claim of Claim 1 and is also believed to be in proper condition for allowance. The Office Action acknowledges that "Tamir, et al. does not disclose a tuner. However, the Examiner takes official notice that a tuner is a very well known object in the art and therefore it would have been obvious to the skilled in the art at the time the invention was made to provide a tuner device to modify the system of Tamir, et al."

Nevertheless, the system described by Tamir, rather than using a tuner, would receive a signal directly from a camera and as such would not need the use of a tuner; such a device would be redundant. Therefore, the Applicants hereby challenge the Examiner's assertion that such a device is very well known, especially in light of the teachings of Tamir, since Tamir clearly is directed more likely to a closed circuit camera system rather than a broadcast television system to be viewed by the general public since Tamir teaches the use of this system specifically for the aid of players and coaches rather than for the entertainment value as would be the case in a broadcast television system.

#### **Dependent Claim 7**

Dependent Claim 7 recites "wherein the television system is one of a set top box, a desk top box, and a personal digital system." The Applicants are unable to find where Fig. 1 describes a set top box, a desk top box, and a personal digital assistant. As such, the Applicants request the Examiner to provide a limitation by limitation analysis of each and every element as arranged in the claims and a corresponding citation in the reference as appropriate. As such, the Office Action fails to describe any of the limitations of Claim 7 and how they are recited in Fig. 1 of Tamir. Additionally, the Applicants repeat the same remarks with respect to Claims 5 and Claim 1 and therefore Claim 7 is believed to be in proper condition for allowance.

#### **Independent Claim 8**

The Applicants repeat the same remarks with respect to Claim 1, and therefore, Claim 8 is to be in proper condition for allowance because of its similarities to Claim 1. Claim 8 contains a step of, among other things, beginning a zoom mode and identifying a first portion of an image.

Additionally, the Applicants repeat the same remarks with respect to Claim 1, and therefore Claims 5 and 14 recite novel and nonobvious elements and are believed to be in proper condition for allowance.



**Dependent Claims 4 and 16**

With respect to Claims 4 and 16, the Applicants respectfully repeat the relevant remarks made with respect to Claim 1. Because Tamir does not anticipate the identifying of a first or second *portion* of an image and is only concerned with the entire camera field of view, the Applicants maintain that Tamir cannot make obvious any subsequent limitation describing the type of image corresponding to a selected portion. (Emphasis Added). Furthermore, the Applicants cannot find where Tamir describes the use of detecting motion of an object within the portion of the image by use of examining MPEG2 motion vectors. The Applicants respectfully request a showing including the column and line number within Tamir that teaches this limitation. Accordingly, the Applicants respectfully believe Claims 4 and 16 are in proper condition for allowance.

**Dependent Claim 9**

Claim 9, dependent upon Claim 8, contains the same language as Claim 2 and is therefore also believed to be in proper condition for allowance. Additionally, the Applicants repeat the same remarks with respect to Claim 1 and Claim 8, and therefore Claim 9 is believed to be in proper condition for allowance. As previously stated above, the Applicants assert, among other things, that since Tamir fails to describe the beginning of a zoom mode, Tamir also fails to describe determination of a zoom mode.

Claim 11 depends upon independent Claim 8 and is therefore also believed to be in proper condition for allowance. Furthermore, the Applicants take notice that Claim 16 corresponds to the system claim of Claim 4 and was not rejected. For the foregoing reasons, the Applicants maintain that Claim 16 is also in proper condition for allowance.

The Applicants respectfully note that Claim 7, dependent upon allowable Claim 5, contains additional patentable subject matter and is in proper condition for allowance.

The Applicants respectfully request that the pending claims be allowed to issue. Should the Examiner wish to discuss any aspect of the application, the Examiner is invited to contact the undersigned at his convenience directly at (312) 609-7970.

Respectfully submitted,

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